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LETTER DATED 3 DECEMBER 1993 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to forward herewith the final documents issued by the Council of the Council for Security and Cooperation in Europe (CSCE) at its fourth meeting held in Rome on 30 November and 1 December 1993.

I would be grateful to you if you could have the aforementioned documents circulated as a document of the Security Council.

(Signed) Francesco Paolo FULCI
Permanent Representative

Annex I

The Council for Security and Cooperation in Europe and the new Europe - our security is indivisible

The CSCE Council held its fourth meeting in Rome on 30 November and 1 December 1993.

The Ministers expressed deep concern that threats to peace and stability proliferate and that crises, widespread violence and open confrontations persist. They strongly condemned the increasing violations of human rights and humanitarian law and the attempt of countries to acquire territories by the use of force. The increasing flow of refugees and appalling human suffering caused by armed conflicts must be urgently alleviated. The Ministers reiterated the personal accountability of those responsible for crimes against humanity.

Despite these events, there is encouraging progress in human rights, democracy and the rule of law in several parts of the CSCE area. The Ministers expressed satisfaction with the spread of free elections and the development of democratic institutions registered in many participating States. The Ministers intended to ensure that CSCE provides appropriate support for these efforts.

To promote the process of democratic change, the Ministers reiterated their determination to base their common action on solidarity, the comprehensive concept of security and freedom of choice of security relations. By utilizing the CSCE agreed set of standards and principles, participating States can demonstrate their unity of purpose and action and thus help to make security indivisible.

The Ministers agreed to strengthen the CSCE role as a pan-European and transatlantic forum for cooperative security as well as for political consultation on the basis of equality. CSCE can be especially valuable as the first line of joint action on the underlying causes of conflict. At the heart of the CSCE efforts is the struggle to protect human rights and fundamental freedoms in the CSCE area.

The Ministers stressed the need to make wider use of CSCE capabilities in early warning and preventive diplomacy and to integrate further the human dimension in this endeavour. They commended the contribution of the High Commission on National Minorities to the development of these capabilities. They furthermore welcomed an increased role of the Office for Democratic Institutions and Human Rights in the Human Dimension, as well as the contributions of the CSCE missions in the field of conflict prevention and crisis management. The goal of further efforts should be to improve abilities to address potential crises at an early stage.

The Ministers also welcomed proposals to undertake jointly specific action to enhance stability.

In this respect, the Ministers expressed appreciation for the presentation of the initiative for a "pact for stability" made by the European Union.

They also welcomed the proposed "partnership for peace" initiative being worked out among participants in the North Atlantic Cooperation Council.

The Ministers agreed to pursue the possibility of enhancing capabilities to apply CSCE crisis management arrangements on a case-by-case basis to situations involving third-party forces when such arrangements are determined to be supportive of CSCE objectives.

The Ministers agreed to commit the necessary political, human and financial resources to the expanding operational tasks of CSCE. They pledged to utilize the innovative means which CSCE can bring to bear in dealing with the day-to-day challenges of change.

The Ministers also agreed to deepen CSCE cooperation with the United Nations, as well as with European and transatlantic organizations. They welcomed all cooperative efforts by such organizations to make contributions towards stability.

The Ministers underlined the importance of the work of the Forum for Security Cooperation. They encouraged completion of the Programme for Immediate Action, including the proposal to establish a code of conduct.

Looking towards the Budapest Summit in December 1994, the Ministers determined to make their cooperation more concrete and effective through the action programme below. In so doing, the CSCE participating States will demonstrate that, however varied their histories and backgrounds, their security is truly indivisible.

To give substance and direction to their commitments, the Ministers have agreed on an action programme to be implemented through the decisions which they have adopted today.

These decisions, inter alia, address the following issues:

(a) (i) The situation in Bosnia and Herzegovina, Croatia and Yugoslavia (Serbia and Montenegro). Examination, as a complement to the efforts of the International Conference on the Former Yugoslavia, of a CSCE contribution to regional security;

(ii) The responsibilities of the CSCE Mission in Georgia will be widened to include the promotion of human rights and the development of democratic institutions. A proposal will be elaborated on possible arrangements for CSCE liaison with and monitoring of the Joint Peace-keeping forces established under the Sochi Agreement of 24 June 1992;

(iii) In Moldova, the work of the CSCE Mission will be intensified;

(iv) A new CSCE mission will be sent to Tajikistan, to help to build democratic institutions and processes there;

(v) The remaining Russian troops will shortly complete their orderly withdrawal from the territories of the Baltic States as agreed;

(b) CSCE crisis management capabilities regarding situations involving third-party military forces will be further considered;

(c) The role of the High Commissioner on National Minorities will be enhanced;

(d) The human dimension will be further integrated into the CSCE political consultation process; the Office for Democratic Institutions and Human Rights in the Human Dimension will be reinforced;

(e) The CSCE will play a more active role in promoting cooperation in the economic dimension;

(f) Cooperation and contacts with the United Nations and European and transatlantic organizations shall be improved;

(g) A permanent committee of CSCE for political consultations and decision-making will be created in Vienna, where also a new CSCE secretariat with comprehensive tasks will be established. A decision on CSCE legal capacity was taken;

(h) Integration of recently admitted participating States will receive new impetus;

(i) Relations between CSCE and non-participating Mediterranean States will be further developed;

(j) The role of CSCE in combating aggressive nationalism, racism, chauvinism, xenophobia and anti-semitism will be strengthened.

Annex II

Decisions
by
the Rome Council meeting

I. REGIONAL ISSUES

1. Bosnia and Herzegovina, Croatia, Yugoslavia (Serbia and Montenegro) and the situation in the region

1.1 War motivated by aggressive nationalism and territorial gains is still raging in Bosnia and Herzegovina, causing further immense suffering to the civilian population. At the same time danger of war persists in Croatia.

Violations of basic human rights continue unabated and the policy and practice of ethnic cleansing is being pursued unhindered. All hostilities must stop immediately. Efforts of the international community to stop the war must be continued in order that a durable, fair and just political solution could urgently be found along the principles agreed by all parties at the International Conference on the Former Yugoslavia.

The Ministers reaffirmed their commitment to a comprehensive solution of all issues dealt with by the International Conference on the Former Yugoslavia.

The Ministers welcomed the resumption of the peace talks in Geneva, which resulted from presentation of an Action Plan by the European Union. They urged the parties to take advantage of the initiative represented by the European Union Action Plan to reach a political solution to the conflict.

The Ministers reconfirmed their support for the sovereignty, territorial integrity and independence of the Republic of Bosnia and Herzegovina and of all countries in the region, and refuse to recognize any territorial acquisition by force.

They reaffirmed their earlier decisions which have yet to be implemented, especially, in the light of the onslaught of winter conditions, those concerning the need to reopen airports and establish humanitarian corridors and safe areas.

The current situation in United Nations protected area zones jeopardizes the territorial integrity of Croatia. These territories should be peacefully reintegrated into the political and legal system of Croatia. Tension and armed incidents continue there, threatening the renewal of hostilities. An agreed modus vivendi in United Nations protected area zones should be achieved. Mutual recognition of Yugoslavia (Serbia and Montenegro) and Croatia would be an essential element for stability in their relations and in the region as a whole.

Those responsible for brutal violations of human rights must be held accountable. Ministers, in this context, welcome that the International War Crimes Tribunal has begun its work. They expressed particular concern over violations of human rights committed by paramilitary troops.

1.2 The Ministers underlined the importance of continued CSCE focus on Yugoslavia (Serbia and Montenegro) and mandated continued monitoring of compliance with CSCE norms and principles, promotion of respect for human

rights and protection of national minorities in the whole of Yugoslavia (Serbia and Montenegro).

They continued to believe that an international presence in Kosovo, Sandjak and Vojvodina would help to prevent the spillover of the conflict to these regions. They called for the early and unconditional return of the Missions of Long Duration to Kosovo, Sandjak and Vojvodina as part of the overall CSCE efforts to ease local tensions, guard against violations of human rights, encourage dialogue and reconciliation between the communities. They called for the establishment and promotion of democratic rights, processes and institutions as well as for the renewal of talks on the future status of Kosovo.

1.3 They stressed that a decisive condition for participation in the CSCE is the full compliance by Yugoslavia (Serbia and Montenegro) with all CSCE principles, commitments and decisions.

1.4 Concerned about the risks for a spillover of the conflict to the former Yugoslav Republic of Macedonia the Ministers instructed the CSCE Spillover Monitor Mission to Skopje to continue its activities unabated.

1.5 The Ministers agreed that the important work of the sanctions assistance missions, set up to monitor the implementation of United Nations Security Council resolutions on sanctions, will continue undiminished.

The Ministers recognized that States in the region bear a major economic burden of the implementation of the sanctions. In order to help to ease the unintended negative consequences of the sanctions for States in the region, the Ministers decided to hold a special ad hoc meeting of senior officials, which will focus on identifying priorities for various international projects to assist affected States in the region better to cope with the effects of the sanctions. The European Union CSCE Sanctions Coordinator will invite relevant international organizations to participate and contribute to this meeting. It will be held before the end of January 1994.

1.6 Looking to the future, the Ministers affirmed their intention to participate actively in efforts to build a just and lasting peace in the region. They stressed that CSCE stands ready, in cooperation with others, to contribute to a future process of reconciliation, rehabilitation and rebuilding of democratic institutions and processes and the rule of law.

The Ministers requested the Permanent Committee of CSCE to examine how the CSCE institutions, CSCE missions and other instruments, expertise and regional experience could best be utilized in future concerted international efforts to this end, in coordination with the United Nations and the International Conference on the Former Yugoslavia.

1.7 The Ministers affirmed that military security and stability in South Eastern Europe is important for peace and stability in the CSCE area as a whole.

The Ministers agreed that, as a complement to the continuing efforts towards achieving a comprehensive settlement to the conflict and issues dealt with by the International Conference on the Former Yugoslavia a CSCE contribution to regional security through arms control and disarmament as well as confidence- and security-building should be examined by the CSCE Forum for Security Cooperation.

2. Georgia

2.1 Faced with the alarming situation in Georgia, the Ministers stressed that the territorial integrity and sovereignty of the Republic of Georgia must be preserved. They pledged to respond with generosity to the appeals for humanitarian assistance, in particular by the United Nations, and to intensify the efforts of CSCE to help to stabilize the situation in the country.

2.2 The Ministers welcomed the beginning of talks with the parties to the Abkhazian conflict in Geneva under United Nations auspices and with the participation of CSCE. CSCE stands ready to contribute to the negotiation of a stable cease-fire and a political solution to the conflict, as well as to cooperate with United Nations efforts in Abkhazia, for example by dispatching observers or providing liaison officers.

2.3 The Ministers strongly urged the parties to the Georgian-Ossetian conflict to break the present stalemate and begin, without preconditions, a political dialogue that would lead to the convening of an international conference, under CSCE auspices and with United Nations participation, to negotiate a solution to the conflict. They also requested the Personal Representative of the Chairman-in-Office and the CSCE mission on the basis of the report by the Chairman-in-Office of the Council on her visit to the Transcaucasian States to elaborate a proposal, for the consideration by the Committee of Senior Officials, for possible arrangements for liaison with the Joint Peace-keeping Forces established under the Sochi Agreement of 24 June 1992. The existing mandate and rules of engagement of these forces would be examined by the Personal Representative and the CSCE Mission with a view to establishing more comprehensive monitoring and oversight of the activities of the Joint Peace-keeping Forces.

2.4 The Ministers decided that the responsibilities of the CSCE Mission should be widened to include also the promotion of respect for human rights in the whole of Georgia and the rendering of assistance for the development of legal and democratic institutions and processes, including the elaboration of a new Constitution for Georgia. Administrative and financial implications of these additional tasks should be decided by the Permanent Committee of CSCE on the basis of a proposal by the Personal Representative of the Chairman-in-Office.

The Ministers also requested the Office for Democratic Institutions and Human Rights in the Human Dimension to identify, where possible in cooperation with the Council of Europe, specific projects to develop the legal and democratic foundations of the Republic of Georgia.

2.5 The Ministers asked the Chairman-in-Office to pursue with the United Nations, as a matter of urgency, the recommendation by the Chairman-in-Office of the Council that a joint CSCE/United Nations Special Representative at high level be appointed with a mandate to address the whole range of problems facing the country and to coordinate the efforts of CSCE and the United Nations in Georgia. They requested the Chairman-in-Office to inform the Committee of Senior Officials or the Permanent Committee of CSCE on the results of his efforts.

3. Republic of Moldova

3.1 While welcoming that there had been no fighting over the past year, the Ministers expressed concern that the lack of progress in finding a political solution to the problems related to the Trans-Dniester region impeded the development of stability and democracy in the Republic of Moldova. The Ministers also stressed that the use of military forces to stabilize the situation cannot be a substitute for a political solution of the problems.

3.2 The Ministers called on all parties involved urgently to speed up negotiations on a special status for the Trans-Dniester region within the context of independence, sovereignty and territorial integrity of the Republic of Moldova and bring them to a mutually acceptable solution. They urged the parties to address the language problems and to make full use of the confidence-building and other proposals made by the CSCE Mission to facilitate the negotiating process. They instructed the CSCE Mission to seek to play an even more active role in maintaining contact with the parties and promoting an early political settlement.

The Ministers also called for early progress in negotiations on the early, orderly and complete withdrawal of the Russian 14th Army from the Republic of Moldova. They stressed that progress on the withdrawal of these troops cannot be linked to any other question, with due regard to existing agreements. They called on the parties concerned to facilitate the work of the CSCE Mission by allowing it to follow closely the negotiations, to participate in the meetings of the Joint Control Commission and to move freely in the security zone. the Ministers expressed their own full support for the achievement of these objectives.

3.3 The Ministers agreed that long-term peace and stability in the Republic of Moldova also required the development of democratic structures and processes and the implementation of commitments to human rights for the whole of the Republic of Moldova. They therefore welcomed the decision of the Government to hold elections for a new parliament and its intention to draft a new Constitution. They also instructed the CSCE Mission to continue to promote full respect for human rights and the rule of law, including in individual cases such as the trial of the so called "Ilascu group".

The Ministers requested the Office for Democratic Institutions and Human Rights in the Human Dimension to continue and expand its cooperation with the Government of the Republic of Moldova on legal and human rights issues

and to prepare for a central role in monitoring the forthcoming electoral process in all parts of the Republic of Moldova.

4. Tajikistan

4.1 The Ministers reiterated their concern over the situation in Tajikistan. They expressed their determination to help to stabilize the situation within Tajikistan in close cooperation with the United Nations and to create favourable conditions for progress towards democracy. They noted collective efforts in this regard by a group of member countries in the Commonwealth of Independent States (CIS).

4.2 The Ministers decided to establish a CSCE mission to Tajikistan. The Mission will maintain contact with and facilitate dialogue and confidence-building between regionalist and political forces in the country; actively promote respect for human rights; promote and monitor the adherence to CSCE norms and principles; promote ways and means for CSCE to assist in the development of legal and democratic political institutions and processes; keep CSCE informed about further developments.

4.3 The CSCE Mission will initially be composed of four persons. It will cooperate and coordinate with the United Nations representation in Dushanbe in the fulfilment of its tasks. The Chairman-in-Office will remain in contact with the United Nations on these matters. The Head of Mission will explore practical ways and means to coordinate the efforts in the field, including the possibility of joint office facilities. He/she will submit a proposal for administrative and financial modalities for the Mission to the Permanent Committee of CSCE for decision not later than 15 January 1994.

5. Baltic States

5.1 The Ministers recalled the commitments undertaken under paragraph 15 of the Helsinki Summit Declaration 1992 and in the Stockholm Summary of conclusions.

5.2 They stressed the political significance of the speedy withdrawal of the remaining Russian troops from the territories of the Baltic States. They welcomed the completion of the withdrawal of Russian troops from Lithuania by 31 August 1993.

5.3 They concluded that it is necessary to intensify further the ongoing pull-out of troops and called upon the participating States concerned promptly to conclude appropriate agreements, including timetables, which will permit the completion of the orderly withdrawal of troops, including settlement on the military installation in Skrunda.

II. FURTHER DEVELOPMENT OF THE CAPABILITIES OF CSCE IN CONFLICT PREVENTION AND CRISIS MANAGEMENT

1. The Ministers stressed the importance of actively pursuing the deliberations that have been initiated by the Committee of Senior Officials on the further development of the capabilities of CSCE in conflict prevention and crisis management.

2. The Ministers agreed that CSCE could consider, on a case-by-case basis and under specific conditions, the setting up of CSCE cooperative arrangements in order inter alia to ensure that the role and functions of a third-party military force in a conflict area are consistent with CSCE principles and objectives.

3. The Ministers mandated the Committee of Senior Officials and the Permanent Committee to elaborate further conditions and necessary provisions for possible CSCE arrangements of this nature. In carrying out this task, they will bear in mind the proposals examined by the Committee of Senior Officials and be guided inter alia by the following principles and considerations essential to the CSCE arrangements as well as to the activities of a third-party military force: respect for sovereignty and territorial integrity; consent of the parties; impartiality; multinational character; clear mandate; transparency; integral link to a political process for conflict resolution; and plan for orderly withdrawal.

4. The Ministers requested the Committee of Senior Officials to take a decision on this matter if possible at its 25th meeting.

III. HIGH COMMISSIONER ON NATIONAL MINORITIES

Bearing in mind the close interrelationship between questions relating to national minorities and conflict prevention, the Ministers encouraged the High Commissioner on National Minorities to pursue his activities under his mandate. They recognized the High Commissioner on National Minorities as an innovative and effective asset in early warning and preventive diplomacy. The Ministers stressed the importance of participating States cooperating fully with the High Commissioner and supporting follow-up and implementation of his recommendations. They welcomed the decision by the Committee of Senior Officials to increase the resources available to the High Commissioner on National Minorities.

IV. THE HUMAN DIMENSION

1. The Ministers reiterated that human dimension issues are fundamental to the comprehensive security concept of CSCE. They noted that adherence to human dimension commitments remains to be consolidated in large parts of the CSCE area, and expressed particular concern that civilians continue to be the victims of atrocities in ongoing conflicts in the CSCE area. Concerned by the root causes of tension stemming from historical prejudices, the Ministers called for efforts, inter alia, through education, to promote tolerance and consciousness of belonging to a system of common values. The

Ministers stressed that implementation of human dimension commitments must be a focus of attention in CSCE's conflict prevention efforts.

2. To this end, the Ministers decided to strengthen the instruments of conflict prevention and early warning which are available within the human dimension of CSCE. They emphasized the need in this context for enhanced cooperation and coordination with relevant international organizations such as the Council of Europe, as well as with non-governmental organizations (NGOs).

The following decisions were taken:

3. The political consultation process and CSCE missions:

(a) In order to further political consideration and action under the human dimension, the decision-making bodies of CSCE will consider human dimension issues on a regular basis as an integral part of deliberations relating to European security. Resources and information will be made available by the Office for Democratic Institutions and Human Rights in the Human Dimension in support of such consideration;

(b) Further emphasis will be given to human dimension issues in mandates of CSCE missions as well as in the follow-up of mission reports. To this end the Office for Democratic Institutions and Human Rights in the Human Dimension will be given an enhanced role in the preparation of CSCE missions, inter alia, in providing information and advice to missions in accordance with its expertise;

(c) In the context of conflict prevention and crisis management, the issue of mass migration, namely displaced persons and refugees, will be addressed, as appropriate, by the Committee of Senior Officials and the Permanent Committee of CSCE, taking into account the role of other relevant international bodies.

4. Office for Democratic Institutions and Human Rights. The Ministers decided to strengthen the Office for Democratic Institutions and Human Rights in the Human Dimension functions and operations. Inter alia, the Office for Democratic Institutions and Human Rights in the Human Dimension will enhance its activities under its mandate in the following areas:

(a) The building of an expanded database of experts in fields relevant to the human dimension. Participating States and non-governmental organizations are requested to inform the Office for Democratic Institutions and Human Rights in the Human Dimension of experts available in fields relevant to the human dimension;

(b) Enhancement of its role in comprehensive election-monitoring;

(c) Strengthened cooperation with relevant international organizations in order to coordinate activities and identify possible areas of joint endeavour;

(d) Receiving information provided by NGOs having relevant experience in the human dimension field;

(e) Serving as a point of contact for information provided by participating States in accordance with CSCE commitments;

(f) Disseminating general information on the human dimension and international humanitarian law.

The Ministers determined that, in order to fulfil its new tasks, the Office for Democratic Institutions and Human Rights in the Human Dimension should be granted additional resources. They requested the Committee of Senior Officials to consider the financial and administrative implications of strengthening the Office as outlined above.

5. Streamlining the Moscow Mechanism. Recognizing the Moscow Mechanism as a significant intergovernmental instrument for follow-up within the human dimension, the Ministers agreed to develop its effectiveness and promote its use by expanding the resource list and shortening time-frames under the mechanism. Also the Permanent Committee of CSCE will be empowered to trigger the mechanism as well as to take follow-up action based on rapporteur's reports. To this end it was decided to modify the mechanism in accordance with annex A.

6. Building on the work of the Implementation Meeting on Human Dimension issues and the human dimension seminars:

(a) The Ministers attached significance to the outcome of the first Implementation Meeting on Human Dimension Issues, as well as the human dimension seminars conducted. The results of the Implementation Meeting issues were welcomed and the Committee of Senior Officials and the Permanent Committee of CSCE were tasked to consider relevant follow-up to them;

(b) Enhanced follow-up by the political bodies of CSCE based on summaries of meetings and seminars on the human dimension will be sought. The Office for Democratic Institutions and Human Rights in the Human Dimension, in consultation with interested participating States, is invited to present further proposals for appropriate follow-up action resulting from human dimension seminars to forthcoming Committee of Senior Officials or Permanent Committee meetings;

(c) The Ministers expressed their appreciation of the work carried out at the seminar on free media to stimulate editorially independent broadcast media and a free press. They reiterated their commitment to safeguard freedom of expression, a basic human right, and stressed the necessity of independent media for a free and open society. To this end the Ministers decided that better use should be made of the CSCE human dimension instruments to promote open and diverse media, including exploring the possibility of utilizing CSCE missions;

(d) Human Dimension Seminars will be held before the Budapest Review Conference on the subjects of migrant workers, local democracy and, if time

and the resources of the Office for Democratic Institutions and Human Rights in the Human Dimension permit, on Roma in the CSCE region. Other Topics proposed in the course of the Implementation Meeting on Human Dimension Issues should be considered for inclusion in the programme of seminars for 1995 and thereafter.

V. THE ECONOMIC DIMENSION

1. The Ministers recalled the basic importance of economic transformation, development and cooperation to the realization of the CSCE's comprehensive concept of security. This concept emphasizes the interrelation between developing democratic institutions and market economics. Economic cooperation is essential to strengthening security and stability in the CSCE area. The Ministers agreed that CSCE, with its broad participation, should play an active role in promoting cooperation in the economic dimension, which should be developed, inter alia, by working closely with relevant economic, financial and developmental organizations. They requested the Permanent Committee of CSCE to integrate more fully the economic dimension into its consideration of tasks facing CSCE.

2. To ensure that CSCE complements efforts by other international and non-governmental organization organizations, the Ministers requested the Permanent Committee to identify practical means of deepening dialogue and expanding cooperative projects with such organizations.

3. They agreed that CSCE should contribute to contacts and dialogue which help to expand mutual understanding of the requirements for sustainable economic development. They also considered practical pursuit of the economic dimension to be an important aspect of the Programme of Coordinated Support for newly admitted States.

4. The Ministers expressed satisfaction with the first session of the CSCE Economic Forum, held in Prague from 15 to 17 March 1993 and welcomed the prospect of the second annual Economic Forum in March 1994. To ensure continuity of the work on the economic dimension, the Ministers agreed to provide permanent support for the Economic Forum and its follow-on activities through the CSCE secretariat operating within existing resources. In this connection, the Ministers decided to designate an existing position for an economic expert to pursue such tasks.

5. They welcomed the Government of Kyrgyzstan's decision to host the first follow-up seminar to the Forum in February 1994. They called upon participating States, the Chairman-in-Office and the CSCE secretariat to cooperate in organizing this and future such meetings.

VI. COOPERATION AND CONTACTS WITH THE UNITED NATIONS AS WELL AS WITH EUROPEAN AND TRANSATLANTIC ORGANIZATIONS AND INSTITUTIONS

1. The Ministers agreed that to pursue the CSCE objective of a stronger commitment to short- and long-term conflict prevention and crisis management requires improved consultations and coordination with international organizations.

2. They agreed that, to achieve this, CSCE efforts to improve further relations with the United Nations should be continued. The basis will be the "Framework for cooperation and coordination between the United Nations Secretariat and the Conference on Security and Cooperation in Europe", and CSCE's recently obtained observer status at the United Nations General Assembly. Furthermore, the Ministers agreed that establishing organized forms for consultations and cooperation with other European and transatlantic institutions and organizations is essential to encourage a sense of wider community, as referred to in the Helsinki Summit Declaration. They also encouraged subregional organizations and arrangements to explore ways of supporting CSCE.

3. The Ministers requested the Chairman-in-Office, assisted by the CSCE Troika and the Secretary-General, as appropriate, to pursue talks with these institutions and organizations with a view to establishing improved arrangements for consultations and for coordination of activities. The Ministers requested the Chairman-in-Office to report to the Committee of Senior Officials on the evolution of these talks and to submit as appropriate proposals for cooperation arrangements.

VII. CSCE STRUCTURES AND OPERATIONS

1. The Ministers reaffirmed that significant enhancement of the political effectiveness and operational capability of CSCE is critical to achieving the goals they have defined for it.

2. They recalled the two mutually supporting forms of action by CSCE: those joint political decisions taken in accordance with consensus rules and direct action through agreed mechanisms activated by a limited number of participating States.

3. To ensure improved capabilities for day-to-day operational tasks of CSCE, the Ministers created a permanent body for political consultations and decision-making in Vienna, the Permanent Committee of CSCE.

4. The Ministers decided that the Permanent Committee should review the relevance and operation of existing mechanisms with a view to increasing their effectiveness.

5. The Ministers also endorsed the decision to establish a CSCE secretariat in Vienna as an important step towards further efficiency in administrative and secretariat support services. Further evolution of CSCE's operational capabilities will be based on the overriding objective of a

non-bureaucratic, cost-efficient and flexible administrative structure which can be adapted to changing tasks.

6. The Ministers considered also problems which have arisen because of a shortage of economic and human resources for CSCE operations, especially preventive diplomacy missions. They decided that the question of providing adequate resources, in the form of expertise as well as of finance, for CSCE to fulfil its promise will be vigorously pursued.

7. Institutional arrangements for political consultation and decision-making:

7.1 In order to enhance the capacity of CSCE to respond to challenges in the CSCE area, the Ministers decided to create a permanent body consisting of representatives of the participating States for political consultations and decision-making in Vienna. The new body will be responsible for the day-to-day operational tasks of CSCE under the chairmanship of the Chairman-in-Office and will meet under the name of the Permanent Committee of CSCE. The Permanent Committee will conduct comprehensive and regular consultations and, when the Committee of Senior Officials is not in session, take decisions on all issues pertinent to CSCE. The Permanent Committee will be responsible to the Committee of Senior Officials, and undertake preliminary discussion of items suggested for the agenda of the Committee of Senior Officials. The Committee of Senior Officials will continue to lay down political guidelines and take key decisions between Council meetings.

7.2 With a view to strengthening the interrelation and complementarity of the CSCE decision-making process in the fields of arms control, disarmament and confidence- and security-building, security cooperation and conflict prevention, the Ministers decided to dissolve the Consultative Committee of the Conflict Prevention Centre as set up by the Paris supplementary document and transfer its competence to the Permanent Committee and the Forum for Security Cooperation in the following way.

7.3 The Permanent Committee will, in addition to the mandate as above, hold the meetings of the participating States which may be convened under the mechanism on unusual military activities.

7.4 The Forum for Security Cooperation will, in addition to current tasks:

(a) Assume responsibility for the implementation of confidence- and security-building measures;

(b) Prepare seminars on military doctrine and such other seminars as may be agreed by the participating States;

(c) Hold the annual implementation assessment meetings;

(d) Provide the forum for discussion and clarification, as necessary, of information exchanged under agreed confidence- and security-building measures.

8. CSCE secretariat. Ministers endorsed the decision by the Committee of Senior Officials to establish a CSCE secretariat in Vienna with an office in Prague. The secretariat will include departments for conference services, administration and budget, Chairman-in-Office support and the Conflict Prevention Centre.

9. Ensuring necessary resources and expertise for CSCE:

9.1 The Ministers agreed that additional efforts must be undertaken to provide financial resources and draw on available expertise, including that provided through non-governmental sources.

9.2 They also expressed concern about continued non-payment of assessed contributions by a large number of participating States. They noted that a cooperative undertaking such as CSCE cannot flourish without mutual support by all participants.

9.3 The Ministers further pledged to make new efforts to identify suitable candidates for a roster to serve on CSCE missions in order to be able to make such candidates available rapidly.

9.4 Recalling the ministerial decision at Stockholm on the need to identify new sources of funding, the Ministers noted the importance of ensuring sufficient resources for CSCE operations, especially those in the field. They instructed the Permanent Committee to submit recommendations to the Committee of Senior Officials for further action as soon as possible.

10. Staffing arrangements for the CSCE institutions. The Ministers have taken note with appreciation of the report of the ad hoc group on efficient management of CSCE resources, approved by the Committee of Senior Officials at its 23rd meeting. Regarding recruitment and appointment for senior CSCE positions, Ministers took the following decisions:

(a) Candidates for the posts of Secretary-General, High Commissioner on National Minorities and director of the Office for Democratic Institutions and Human Rights in the Human Dimension will be nominated by participating States for appointment by the Council;

(b) Positions as heads of the departments within the CSCE secretariat will be subject to open competition. These positions will be appointed by the Chairman-in-Office in consultation with the Secretary-General. Other positions in the CSCE secretariat will be appointed by the Secretary-General, taking into account equal opportunity requirements and the diversity of the CSCE community;

(c) The Director of the Office for Democratic Institutions and Human Rights in the Human Dimension and the High Commissioner on National Minorities will appoint their respective senior staff in consultation with the Secretary-General taking into account equal opportunity requirements and the diversity of the CSCE community;

(d) All CSCE positions will be budgeted for. Whenever possible, participating States may consider seconding their nationals who have been successful in obtaining positions.

11. The Ministers have taken note with appreciation of the report of the ad hoc Group of Legal and Other Experts. The Ministers adopted a decision on legal capacity and privileges and immunities that recommends implementation of the following three basic elements:

(a) The CSCE participating States will, subject to their constitutional, legislative and related requirements, confer legal capacity on CSCE institutions in accordance with the provisions adopted by the Ministers (see 4-C/Journal No. 2);

(b) The CSCE participating States will, subject to their constitutional, legislative and related requirements, confer privileges and immunities on CSCE institutions, permanent missions of the participating States, representatives of participating States, CSCE officials and members of CSCE missions in accordance with the provisions adopted by the Ministers (see 4-C/Journal No. 2);

(c) CSCE may issue CSCE identity cards in accordance with the form adopted by the Ministers (see 4-C/Journal No. 2).

VIII. INTEGRATION OF RECENTLY ADMITTED PARTICIPATING STATES

1. The Ministers commended the steps that had been taken to improve the integration of the recently admitted participating States. They expressed appreciation for the visits to several of these States undertaken by the Chairman-in-Office and recommended that the programme of visits be continued. In this task, the Chairman-in-Office will be assisted by members of the Troika. They requested the Secretary-General to ensure continued effective follow-up of the visits of the Chairman-in-Office to the Central Asian and transcaucasian participating States. In this connection, they welcomed the establishment, since they last met in Stockholm, of permanent representations in Vienna by Armenia, Georgia, Kyrgyzstan, Lithuania and Tajikistan and commended the financial support that is being rendered by the Government of Austria to some of these representations. They also emphasized the importance of having all recently admitted participating States represented in Vienna at the earliest possible date.

2. The Ministers underlined the importance of the human dimension in the further integration of the recently admitted participating States. While many of these States are in a difficult period of political and economic transition, the Ministers expressed their expectation that the recently admitted participating States would do their utmost to ensure the implementation in their countries of all CSCE principles and commitments, also in times of crisis. They commended the role played by the Office for Democratic Institutions and Human Rights in the Human Dimension in helping to build democratic institutions in the recently admitted participating States. They requested the Office for Democratic Institutions and Human

Rights in the Human Dimension to intensify its efforts to identify and implement cooperation projects with these States within the framework of the Programme of Coordinated Support. They noted also the important contribution made by the Human Dimension Seminars organized by the Office for Democratic Institutions and Human Rights in the Human Dimension to increased understanding of the problems arising from the process of integration. They agreed on the importance of making full use of the experience gained at these seminars.

IX. RELATIONS BETWEEN NON-PARTICIPATING MEDITERRANEAN STATES AND CSCE

The Ministers, welcoming the further development of contacts between CSCE and non-participating Mediterranean States that share the principles and objectives of CSCE called on the Chairman-in-Office and, as appropriate, the Secretary-General to promote the full use of the exchange of information and views recently agreed upon by participating States.

X. DECLARATION ON AGGRESSIVE NATIONALISM, RACISM, CHAUVINISM, XENOPHOBIA AND ANTI-SEMITISM

1. Recalling their decisions taken at the Stockholm Council Meeting, the Ministers noted with deep concern the growing manifestations of aggressive nationalism, such as territorial expansionism, as well as racism, chauvinism, xenophobia and anti-semitism. These run directly counter to the principles and commitments of CSCE.

2. The Ministers also noted that these phenomena can lead to violence, secessionism by the use of force and ethnic strife and, in their worst instances, to the barbaric practices of mass deportation, ethnic cleansing and violence against innocent civilians.

3. Aggressive nationalism, racism, chauvinism, xenophobia and anti-semitism create ethnic, political and social tensions within and between States. They also undermine international stability and world-wide efforts to place universal human rights on a firm foundation.

4. The Ministers focused attention on the need for urgent action to enforce the strict observance of the norms of international humanitarian law, including the prosecution and punishment of those guilty of war crimes and other crimes against humanity.

5. The Ministers agreed that CSCE must play an important role in these efforts. The clear standards of behaviour reflected in CSCE commitments include active support for the equal rights of all individuals in accordance with international law and for the protection of national minorities.

6. The Ministers decided to keep this issue high on the agenda of CSCE and therefore decided:

(a) To task the Permanent Committee to study possible follow-up actions;

(b) To invite the High Commissioner on National Minorities, in the light of his mandate, to pay particular attention to all aspects of aggressive nationalism, racism, chauvinism, xenophobia and anti-semitism;

(c) To request the Office for Democratic Institutions and Human Rights in the Human Dimension to pay special attention to these phenomena and to apply resources as necessary on addressing these problems.

XI. DATE AND PLACE OF THE FIFTH MEETING OF THE CSCE COUNCIL

The fifth meeting of the CSCE Council will be held in Budapest in 1995 at a date to be agreed. The function of the Chairman-in-Office of the CSCE will be exercised by Hungary from the beginning of the Summit Meeting on the occasion of the 1994 Budapest Review Conference throughout the 1995 Budapest Council Meeting.

Annex A

The procedures in paragraphs 3, 7, 11, 13 and 14 of the 1991 document of the Moscow Meeting of the Conference on the Human Dimension of CSCE are modified to read as follows (all changes have been underlined):

(3) A resource list comprising up to six experts appointed by each participating State will be established without delay at the CSCE Institution.* The experts will be eminent persons, including where possible experts with experience related to national minority issues, preferably experienced in the field of the human dimension, from whom an impartial performance of their functions may be expected.

The experts will be appointed for a period of three to six years at the discretion of the appointing State, no expert serving more than two consecutive terms. Within four weeks after notification by the CSCE Institution of the appointment, any participating State may make reservations regarding no more than two experts to be appointed by another participating State. In such case, the appointing State may, within four weeks of being notified of such reservations, reconsider its decision and appoint another expert or experts; if it confirms the appointment originally intended, the expert concerned cannot take part in any procedure with respect to the State having made the reservation without the latter's express consent.

The resource list will become operational as soon as 45 experts have been appointed.

(7) The mission of experts will submit its observations to the inviting State as soon as possible, preferably within three weeks after the mission has been established. The inviting State will transmit the observations of the mission, together with a description of any action it has taken or intends to take upon it, to the other participating States via the CSCE Institution no later than two weeks after the submission of the observations.

These observations and any comments by the inviting State may be discussed by the Committee of Senior Officials, which may consider any possible follow-up action. The observations and comments will remain confidential until brought to the attention of the Senior Officials. Before the circulation of the observations and any comments, no other mission of experts may be appointed for the same issue.

(11) The CSCE rapporteur(s) will establish the facts, report on them and may give advice on possible solutions to the question raised. The report of the rapporteur(s), containing observations of facts, proposals or advice, will be submitted to the participating State or States concerned and, unless all the States concerned agree otherwise, to the CSCE Institution no later than two weeks after the last rapporteur has been appointed. The requested State will submit any observations on the report to the CSCE Institution, unless all the States concerned agree otherwise, no later than two weeks after the submission of the report.

The CSCE Institution will transmit the report, as well as any observations by the requested State or any other participating State, to all participating States without delay. The report will be placed on the agenda of the next regular meeting of the Committee of Senior Officials or of the Permanent Committee of CSCE, which may decide on any possible follow-up action. The report will remain confidential until after that meeting of the Committee. Before the circulation of the report no other rapporteur may be appointed for the same issue.

(13) Upon the request of any participating State the Committee of Senior Officials or the Permanent Committee of CSCE may decide to establish a mission of experts or of CSCE rapporteurs. In such case the Committee will also determine whether to apply the appropriate provisions of the preceding paragraphs.

(14) The participating State or States that have requested the establishment of a mission of experts or rapporteurs will cover the expenses of that mission. In case of the appointment of experts or rapporteurs pursuant to a decision of the Committee of Senior Officials or of the Permanent Committee of CSCE, the expenses will be covered by the participating States in accordance with the usual scale of distribution of expenses. These procedures will be reviewed by the Helsinki Follow-up Meeting of CSCE.

Croatia where the Serbian population constitutes a pre-war majority, but this process can start only after successful implementation of the existing Security Council resolutions, in particular resolution 871 (1993) of 4 October 1993. The President of the Republic of Croatia, Franjo Tudjman, proposed in his Peace Initiative (S/26681, annex) the scheduling of local elections in UNPAs as the final stage in the peaceful reintegration of those areas into the Republic of Croatia, on the basis of full local autonomy in the districts of Knin and Glina, within the framework of the Constitutional Law on Human Rights and Freedoms and the Rights of National and Ethnic Communities of Minorities of the Republic of Croatia.

The European Union Action Plan underlines the importance of the Carrington plan and the fact that the level of autonomy of the areas currently under the UNPROFOR mandate must be decided on the basis of the pre-war census. The return of refugees is an indispensable prerequisite for any action and only thereafter one can envisage, as the second stage of the peace process, local elections in the areas where Serbian population is in the majority.

The Conference on Security and Cooperation in Europe emphasized in the official documents of its Rome Council meeting, from 30 November to 1 December 1993, that "the current situation in UNPA zones jeopardizes the territorial integrity of Croatia", and that "these territories should be peacefully reintegrated into the political and legal system of Croatia". Scheduled "elections" by the Serbian insurgent authorities certainly are not a step in that direction.

On behalf of my Government, I respectfully request that the Security Council takes all necessary steps to prevent further aggravations of the situation in the region in this regard.

I would ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative

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26 November 1993

(a) Northern region: No hostile aerial activity was recorded in the northern region on 26 November 1993.

(b) Southern region: 42 sorties, flown at speeds of 600-900 km/h and at altitudes of 4,000-8,000 m, centred on Basra, Nasiriyah, Samawah, Amarah, Qal'at Salih, Artawi, Jalibah and Suq al-Shuyukh.

27 November 1993

(a) Northern region: 16 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,500-7,500 m, centred on Mosul, Irbil, Dohuk, Tall Afar and Amadiyah.

(b) Southern region: 48 sorties, flown at speeds of 600-900 km/h and at altitudes of 5,500-8,500 m, centred on Nasiriyah, Samawah, Salman, Artawi, Busayyah, Jalibah and the area south of Najaf.

28 November 1993

(a) Northern region: 14 sorties, flown at speeds of 600-900 km/h and at altitudes of 7,000-8,000 m, centred on Mosul, Irbil, Zakho, Dohuk, Tall Afar and Ayn Zalah.

(b) Southern region: 38 sorties, flown at speeds of 600-900 km/h and at altitudes of 5,000-9,000 m, centred on Basra, Nasiriyah, Qurnah, Qal'at Salih, Samawah, Amarah, Busayyah and Jalibah.

29 November 1993

(a) Northern region: No hostile aerial activity was recorded in the northern region on 29 November 1993.

(b) Southern region: 33 sorties, flown at speeds of 600-900 km/h and at altitudes of 7,000-8,500 m, centred on Basra, Nasiriyah, Qal'at Salih, Qurnah, Samawah, Amarah, Artawi, Busayyah, Jalibah and Lasaf.

- At 1210 hours, a TR-1 reconnaissance aircraft was observed flying at a speed of 600 km/h and at an altitude of 20,000 m over Amarah, Nasiriyah, the area south of Najaf, Diwaniyah and Shatrah. It was last sighted at 1510 hours, heading in the direction of Hufr al-Batin inside Saudi Arabian airspace.

30 November 1993

(a) Northern region: 22 sorties, flown at speeds of 600-900 km/h and at altitudes of 7,000-8,000 m, centred on Mosul, Irbil, Dohuk, Tall Afar, Amadiyah and Zakho.

(b) Southern region: 42 sorties, flown at speeds of 600-900 km/h and at altitudes of 6,000-8,500 m, centred on Nasiriyah, Samawah, Busayyah, the area south of Najaf, Qurnah, Shatrah and Jalibah.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

ANNEX

Intervention by the Minister for Foreign Affairs of Azerbaijan before the North Atlantic Cooperation Council meeting at Brussels on 3 December 1993

Let me first of all express my gratitude to the hosts of the meeting for their hospitality and the excellent conditions of work.

Representing at this high forum the country enveloped in the flames of one of the most impressive and tragic conflicts of contemporary times, I want to draw the attention of my distinguished colleagues to a real threat for peace and stability on the European continent that has been concealed by not taking efficient measures against the aggression.

Aggression of the Republic of Armenia against the sovereign Azerbaijan, which has continued for six years already, has resulted in the occupation of one fifth of the territory of my State. The peaceful Azerbaijani population is systematically exterminated and ousted. More than 1 million citizens of Azerbaijan have become the victims of the "ethnic cleansing" policy and are now refugees in their own land. The tragedy of the situation is aggravated by cold weather that puts in jeopardy the lives of hundreds of thousands of people without shelter. Hundreds of populated areas have been looted and burnt down, the material values created by many generations of Azerbaijani people are being destroyed. Not much longer than a week ago the Armenian troops occupied the Azerbaijani populated area of Khudaferin, situated on the frontier with the Islamic Republic of Iran. More than 70 per cent of the frontier of Azerbaijan with Armenia, as well as 161 kilometres of the frontier with the Islamic Republic of Iran, are under the control of the Armenian occupation forces. There is a direct evidence of the aspiration of Armenia, consequently conducting the policy of annexation, to internationalize the conflict and to involve in it other countries of the region.

After realization of its programme-minimum, that is, after the occupation of the whole territory of the Nagorny Karabakh region, the aggressor has started to set up along its perimeter a so-called "sanitary zone", including the regions of Azerbaijan situated around the occupied Nagorny Karabakh. Having forcibly ousted the local population from these regions and having completely or partially destroyed the communication lines, with the exception of those linking the region with Armenia, the armed forces of Armenia realized a thoroughly thought-out strategic plan of Yerevan, which envisaged the simultaneous transformation of the Nagorny Karabakh into an isolated military space surrounded by lifeless territory space and the exclusion of the possibility of the return of the Azerbaijani refugees to their homes.

At the same time, plans of nationalist Armenia are not limited by Karabakh's anschluss or "reunification", which is how Armenia touchingly calls the armed annexation of the part of the sovereign State (by the way, this word is the only analogue of a special term produced by the ideologists of the Third Reich).

Since the very beginning of the conflict, the bordering regions of Azerbaijan, including Nakhchivan Autonomous Republic, have been subjected to incessant shooting on the part of Armenia. By the way, one of the villages of Nakhchivan-Kyarky is still controlled by the occupants. There have been numerous attacks on the populated areas of Tovuz, Kedabek and Kazakh regions.

Unfortunately, recent experience demonstrates that indecision, a half-way policy and completely intolerable balancing between the interests of the aggressor and its victim is not only a connivance with respect to the aggressor, but it also undermines the confidence of the countries that have recently become members of the international community.

The efforts on the peaceful settlement of the Armenian-Azerbaijani conflict undertaken by the international community, within the framework of the Conference on Security and Cooperation in Europe (CSCE) process, have not, unfortunately, resulted in tangible results, owing to the militarily annexationist position of the Republic of Armenia. In our view, the most important reason for the unsuccessful character of the peace activities aimed at restoring the stability in the region is the refusal to recognize directly the fact of aggression of the Republic of Armenia against the sovereign Azerbaijan. Numerous fact-finding missions of such authoritative organizations as the United Nations and the CSCE have based their conclusions on the difficulties arising from the recognition of direct involvement of the armed forces of the Republic of Armenia in the conflict. At the same time, we have all the necessary proof of that and we, on many occasions, provided them to the competent structures of international organizations. How else can the facts of the seizure of eight villages of the Kazakh region of Azerbaijan, having no border with the occupied Nagorny Karabakh region and bordering on Armenia, be explained. Back in December of 1992, Armenian troops occupied eight villages of the Zangelan region of Azerbaijan.

Practically all the regions of Azerbaijan bordering on Armenia and occupied during the aggression were seized as a result of attacks from two directions: from the occupied region of Nagorny Karabakh and directly from the territory of the Republic of Armenia.

Moreover, my country is deeply concerned with a tendency in the CSCE Minsk Group to acknowledge Azerbaijan as a "defeated party" that has to accept the conditions contradicting the principles of the Charter of the United Nations, CSCE and Security Council resolutions. Every new package of proposals of the Minsk Group on withdrawal of Armenian troops from the occupied territories contains more and more concessions to the aggressor and poses new preliminary conditions for the evacuation of the occupied regions of Azerbaijan. There are attempts of changing the status of Armenians of the Nagorny Karabakh region of Azerbaijan, with simultaneous removal of the other interested party, the Azerbaijani community of the mountainous part of Karabakh, from the process of peaceful settlement of the conflict.

Such an approach for the settlement, having as its essence the recognition of the force factor, creates a dangerous precedent of territorial gains by utilizing the practice of fait accompli, and means the refusal to implement our

common task - creation of a new world order, based upon the principles of respect for legitimacy, human rights and democracy.

The Treaty on Conventional Armed Forces in Europe (CFE) is one of the most important elements of the security structure. However, I should like to emphasize the direct threat for its implementation on the territory of Azerbaijan, owing to the aggression of the Republic of Armenia. How can one talk about the regional system of security or arms control in accordance with the CFE when Azerbaijan - a CSCE and North Atlantic Cooperation Council member State - has on its territory a big military alignment, uncontrolled by the Government, armed with an abundant amount of heavy weapons and constantly widening the zone of its occupation. Utilizing the occupied Lachin, Kelbajar and Zangelan regions of Azerbaijan, Armenia transfers to Nagorny Karabakh its regular troops, heavy weapons and ammunitions. Official Yerevan has on numerous occasions claimed that it is "the humanitarian assistance" that is transferred to the Upper Karabakh from Armenia through the occupied regions. The predatory actions of the expeditionary corps of the Republic of Armenia clearly demonstrate the real character of this "assistance".

All of the occupied territory of Azerbaijan has found itself out of the zone of control by international inspections in accordance with the CFE Treaty and the Vienna Document. In early 1993, the Azerbaijani side succeeded with difficulty in including into the terms of reference of the advance Monitoring Group of CSCE of the provision on carrying out identification and withdrawal from the territory of our State of all foreign military personnel in cooperation with CSCE or any other competent international organization. However, this intention of goodwill has not found a timely realization. It is not by chance that Armenia tried to block the inclusion of that provision in the mandate. In this connection, it is necessary to clarify what is meant by "self-defense forces of Nagorno Karabakh". According to estimations of the London International Institute of Strategic Research, that could hardly be considered completely accurate in reflecting real figures on the quantity of foreign military personnel; on the territory of Nagorny Karabakh there are 8,000 foreigners, that is, soldiers of the army of the Republic of Armenia. We have many times presented factual evidence on this point.

There is a question of how effective are the inspections within the CFE Treaty and confidence-building measures in Europe held on the territory of Armenia. Absence of a certain amount of weapons and arms on the control sites that are used for carrying out the aggression against sovereign Azerbaijan should have drawn the attention of the inspectors in the course of their work in Armenia. One has to renounce the mechanical approach in holding inspections. During almost two years, the Azerbaijan Republic received 10 inspections, including seven in accordance with the CFE Treaty and three with the Vienna document. It is still unclear why the occupied territories of Azerbaijan have found themselves out of the zone of international inspection activities. Azerbaijan, owing to well-known circumstances, is not able, using its sovereign right, to define the quantity of arms and military personnel in the region, to say nothing about control over them. A question arises whether this situation is normal and what are these mythical "local" forces that wage military actions against the army of a State with a population of 7 million and occupy its

territories. The weaponry missing in Armenia must be looked for in Nagorny Karabakh and other regions of Azerbaijan occupied by Armenia.

If the countries members of the CSCE Minsk Group, which are at the same time parties to the CFE Treaty, had taken a firm and clear position on bridling the aggressor, today we would not have the situation where, owing to the fault of Armenia, the military-political balance in Transcaucasia is considerably upset.

In connection with the situation created in the region, I deem it necessary to state that, despite all efforts of the Azerbaijani side, the aggression of the Republic of Armenia leads to gradual exclusion of the occupied territories of Azerbaijan from the zone of the CFE Treaty and confidence- and security-building measures within the framework of the Vienna Document.

Distinguished colleagues, let me point out the priority problems that have to be carefully addressed under the conditions of widening regional conflicts.

First: the consensus mechanism in the international organizations and, in particular, in the CSCE, provides the aggressor with a 100 per cent possibility of avoiding the responsibility for its deeds.

Second: it is necessary to reinforce the mechanisms of realization of the adopted decisions, to ensure firm guarantees of implementation of foreseen measures and to impose strict sanctions for the violation of agreements.

Third: it is necessary to broaden the set of instruments for peace activities of international organizations. In particular, CSCE, in our view, needs to revise its mandate and to transform its activities from passive cease-fire observation to active peace-making operations.

Fourth: it is necessary to realize clearly that, in conditions of regional conflicts, the implementation of all existing and any other agreements in the sphere of military-political security is put in serious jeopardy.

Political settlement of conflicts must be based on the determination of the world community to use military force effectively in order to stop the aggression. The aggressor should not have any doubts on that point. Otherwise, we risk to be confronted with the situation when the efforts, aimed at reaching the stability in the centre of Europe, will be reduced to zero by the chaos on its outskirts and further spillover of conflicts throughout the continent.

The concept of common European security may be viable only if based on the indivisibility of the security of all.

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9 November 1993

At 1530 hours, the Iranian side opened up an observation post containing a communications station on the elevation located at geographical coordinates 512502 in front of the Fakkah guard post inside the area of separation.

10 November 1993

(a) At 1000 hours, a group of about six men from the Iranian side were seen building a shelter on the elevation located at geographical coordinates 517506 in front of the Fakkah guard post inside the area of separation.

(b) At 1630 hours, the Iranian side set up a dual-phase automatic rifle in front of the Iranian observation post at geographical coordinates 502512 in front the Fakkah guard post inside the area of separation.

11 November 1993

At 0630 hours, three groups of men from the Iranian side, each estimated to number 100 to 120 persons, were seen engaging in sports exercises along the road running between geographical coordinates 517506 and geographical coordinates 512512 in front of the Fakkah guard post inside the area of separation.

13 November 1993

At 0820 hours, a group of about 12 men from the Iranian side, wearing military uniform, were seen fortifying the shelters at geographical coordinates 517506 in front of the Fakkah guard post inside the area of separation.

16 November 1993

At 0800 hours, intermittent light weapons fire was heard in the vicinity of the area facing the Iranian Ta'us guard post at geographical coordinates 574396 inside the area of separation. It continued until 0850.

17 November 1993

At 0940 hours, eight men from the Iranian side were seen fortifying the shelters at geographical coordinates 517506 in front of the Fakkah guard post inside the area of separation.

18 November 1993

(a) At 1035 hours, a group of about 12 men from the Iranian side, wearing military uniform, were seen fortifying shelters at geographical coordinates 512502 in front of the Fakkah guard post inside the area of separation.

(b) At 1200 hours, two vehicles belonging to the Iranian side, a dump truck and an ambulance, were seen coming from the Iranian rear and approaching geographical coordinates 437628. Twelve men wearing military uniform alighted and proceeded to plant mines in the area, following a circular pattern. At 1400, the two vehicles and the men returned to the Iranian rear.

19 November 1993

At 0755 hours, a group of about seven men from the Iranian side, wearing military uniform, strengthened the shelters at geographical coordinates 503533 in front of the Fakkah guard post inside the area of separation.

26 November 1993

At 1230 hours, the Iranian side fired an 81-mm mortar shell at the Iraqi units. It fell at geographical coordinates 907824 in the Kut as-Sawadi area.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Note verbale dated 21 September 1993 from the Interests Section of the Islamic Republic of Iran in Washington addressed to the Embassy of Pakistan in Washington

The Interests Section of the Islamic Republic of Iran in Washington presents its compliments to the Embassy of Pakistan and has the honour to quote the attached message received from the Ministry of Foreign Affairs of the Islamic Republic of Iran. It is respectfully requested that the original text of the message be transmitted to the United States Department of State and that the Interests Section be informed of its response.

Enclosure

According to information received from officials of the Government of the Islamic Republic of Iran, United States warships positioned in the Sea of Oman and the Persian Gulf have created a nuisance for Iranian sea-patrolling aircraft and helicopters on the following dates and at the following times:

1. On 3 May 1993 at 1302 hours, a United States warship warned the pilot of an Iranian sea-patrolling helicopter, whose position was N2840 and E5000 and which was travelling from Boushehr to Frouzan and Norouz oil-wells.

2. On 3 May 1993 at 1330 hours, a United States warship, at the position of 247 degrees and a distance of 40 miles from Boushehr, warned an Iranian helicopter en route from Boushehr to Frouzan.

3. On 4 May 1993 at 1015 hours, a United States warship warned an Iranian sea-patrolling aircraft, whose position was N2735 and E5110, not to get closer to the warship.

The Government of the Islamic Republic of Iran protests such illegal actions by the Government of the United States of America.

Annex I

Republic of Iraq
Ministry of Education

General Directorate of Education, Governorate of: Baghdad / Karkh
School Administration: Al-Hikmah Girls' Secondary
Telephone: -

School Record
No. 444069

No.: 13
Date: 30 July 1993
Matriculation No.: 4696
Examination No.: 6930-6

To: Certificates' Department

Kathrat Dhiyab Muhammad (photograph attached above), born on 23 February 1970 in the Governorate of Damascus, Syria, a student in grade six (scientific) at our school, took the general examination for the school year 1986-1987, the result of which was a pass at the first session, with the following grades:

Subject	Grade		Subject	Grade	
	In numerals	In writing		In numerals	In writing
Arabic	83	Eighty-three			
English	81	Eighty-one			
Mathematics	93	Ninety-three			
Biology	96	Ninety-six			
Chemistry	82	Eighty-two			
Physics	78	Seventy-eight			
			Total	513	Five hundred and thirteen

1. Purpose of record: Confirmation

2. Accepted on the basis of transfer certificate No. 51202 dated 6 October 1986, issued by Al-Aqidah Girls' Secondary School at Abu Dhabi.

3. Records previously provided:

Authority to which the record is addressed	No.	Date
Ministry of Higher Education and Scientific Research/Dentistry, Baghdad	4465	13 July 1987

/...

4. Failed in grade: -

5. Years skipped: -

6. Courses completed: -

7. Comportment: Good Days absent with excuse: - without excuse: -

8. Date on which he/she left the school: 1 August 1987

9. This record is free from deletions, erasures or alterations: Yes

Name and signature of preparer of this record:

Assistant Sabiha Ibrahim

Name and signature of school Principal:

Raja' Muhammad Anwar

Annex II

Republic of Iraq
Ministry of Education

General Directorate of Education, Governorate of: Baghdad / Karkh
School Administration: Baghdad Girls' Preparatory
Telephone: 5414258

School Record
No. 139258

No.: 243
Date: 14 August 1993
Matriculation No.: 3266
Examination No.: 70748037

To: Certificates' Department

Iman Muhammad Adnan al-Hafidh (photograph attached above), born on 8 January 1969 in the Governorate of Syria, a student in grade six (scientific) at our school, took the ministerial examination for the school year 1984-1985, the result of which was a pass at the first session, with the following grades:

Subject	Grade		Subject	Grade	
	In numerals	In writing		In numerals	In writing
Arabic	60	Sixty			
English	84	Eighty-four			
Mathematics	78	Seventy-eight			
Biology	80	Eighty			
Chemistry	84	Eighty-four			
Physics	81	Eighty-one			
			Total	467	Four hundred and sixty-seven

1. Purpose of record: Confirmation

2. Accepted on the basis of transfer certificate No. 1708 dated 19 August 1982, issued by Al-Qadisiyah Girls' Middle School at Karkh.

3. Records previously provided: Yes

Authority to which the record is addressed	No.	Date
Certificates' Department	104	6 August 1985

/...

4. Failed in grade: Did not fail

5. Years skipped: None

6. Courses completed: None

7. Comportment: Good Days absent with excuse: - without excuse: -

8. Date on which he/she left the school: 15 August 1985

9. This record is free from deletions, erasures or alterations: -

Name and signature of preparer of this record:

Mahfudhah Abdulhadi

Name and signature of school Principal:

Anisa Bakr

Annex III

Republic of Iraq
Ministry of Education

General Administration of Education, Governorate of: Baghdad / Rusafah
School Administration: Mother of Ali Batties Boys' Preparatory
Telephone: -

School Record
No. 198261

No.: 449
Date: 20 September 1993
Matriculation No.: 181/21
Examination No.: 3202559-9

To: Ministry of Education, Certificates' Department

Abdulwahhab bin Ali bin al-Ubaydi Muberaki (photograph attached above), born on 10 October 1968 in the Governorate of Tunisia, a student in grade six (literary) at our school, took the ministerial examination for the school year 1992-1993, the result of which was a pass at the second session, with the following grades:

Subject	Grade		Subject	Grade	
	In numerals	In writing		In numerals	In writing
Arabic	50	Fifty			
French	57	Fifty-seven			
Mathematics	67	Sixty-seven			
History	63	Sixty-three			
Geography	58	Fifty-eight			
Economy	50	Fifty			
Total	345	Three hundred and forty-five			

1. Purpose of record: Study

2. Accepted on the basis of transfer certificate No. 65855 dated 26 December 1991, issued by General Directorate of Education School at Baghdad / Rusafah.

3. Records previously provided: _____

Authority to which the record is addressed	No.	Date
Ministry of Higher Education and Scientific Research	448	20 September 1993

/...

4. Failed in grade: Did not fail

5. Years skipped: None

6. Courses completed: Arabic, French

7. Comportment: Good Days absent with excuse: - without excuse: -

8. Date on which he/she left the school: 1 October 1993

9. This record is free from deletions, erasures or alterations: Yes

Name and signature of preparer of this record:

Talib Abbas Ali

Name and signature of school Principal:

Samad Muhammad Fawzi

Annex

[Original: English/French]

Statement on Georgia

The European Union welcomes the fact that negotiations have started under the auspices of the United Nations on the situation in Georgia, with particular reference to the Abkhaz region. These negotiations should initiate the gradual re-establishing of peace in Abkhazia. Moves towards a peaceful resolution of the situation in Abkhazia will certainly have positive repercussions for the whole of Georgia.

The European Union reaffirms the importance it attaches to the sovereignty and territorial integrity of Georgia. It confirms that it is essential for all parties to respect the principles of the Conference on Security and Cooperation in Europe and humanitarian law.

The European Union calls on the parties to commit themselves seriously to this negotiating process and to refrain from any resumption of hostilities. A political solution to the conflict must be found within the framework of existing international frontiers and by means of dialogue.

The European Union is concerned at the alarming situation of thousands of refugees from Abkhazia and has recently considerably increased its humanitarian efforts in the region. It strongly urges the parties to the conflict not to impede the work of those assisting the troubled population.

Annex I

Letter dated 8 December 1993 from the Secretary of the General People's Committee for Foreign Relations and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

With reference to the letters dated 11 September 1993, 11 October 1993, 3 November 1993 and 30 November 1993, I have the honour to inform you that the Great Socialist People's Libyan Arab Jamahiriya, reaffirming its desire to reach a settlement of the conflict provoked by the three Western States over the Lockerbie case, has, following the adoption of Security Council resolution 883 (1993), taken several initiatives, directly or in consultation with friendly countries. These initiatives are aimed at finding a solution which meets the requirements of Security Council resolution 731 (1992) and settling the dispute between the Libyan Arab Jamahiriya and the three Western States over the means of implementing that resolution.

Thus, Colonel Muammar Qaddafi, leader of the glorious revolution of 1 September, sent a letter dated 25 November 1993 to His Holiness Pope John Paul II, in which he expressed his desire to cooperate with His Holiness and with Presidents Clinton and Mitterrand and Prime Minister John Major of the United Kingdom in determining the venue of a fair trial which would be acceptable to the suspects, their families and their lawyers.

Likewise, the sister Republic of Tunisia, which holds the chairmanship of the Arab Maghreb Union, proposed, in consultation with the Libyan Arab Jamahiriya, that the two suspects be interrogated and tried in France, as that country is one of the sponsors of Security Council resolutions 731 (1992), 748 (1992) and 883 (1993), relating to the dispute between the Libyan Arab Jamahiriya and the Western States concerned.

Furthermore, the Arab Republic of Egypt in consultation with the Great Jamahiriya, proposed to the Government of the United Kingdom that the two suspects be tried by a Scottish Court under the legislation applied in Scotland, provided that the trial were held in a third country or at the headquarters of the International Court of Justice in The Hague. No reply has been received to this proposal.

As we indicated in our letter of 11 October 1993, the position of the lawyers for the two suspects, as stated on 10 October 1993, has limited the arguments that the Libyan authorities might advance to persuade the suspects to travel to Scotland.

We believe that the initiatives we took following the adoption of Security Council resolution 883 (1993) will meet the approval of the two suspects and their lawyers and help the Security Council to discover the identity of the perpetrator of the bombing of Pan Am flight 103 and to punish him, and also to guarantee the right of the victims' families to receive compensation for the loss they suffered as a result of that tragic bombing.

In a desire to resolve certain issues which appeared complex and difficult to resolve, the Security Council has reconsidered more than one of its resolutions, such as resolution 799 (1992) of 18 December 1992 and resolution 837 (1993) of 6 June 1993, which was modified by resolution 885 (1993) of 16 November 1993.

The good faith of the three Western States and the sincere efforts which we have no doubt the Charter of the United Nations authorizes you to make and also paragraph 4 of Security Council resolution 731 (1992) and paragraph 14 of resolution 883 (1993) are, without a doubt, all elements which will make it possible to reach a settlement that respects international legality and preserves Libyan sovereignty and the honour of its people.

I should like to request that this letter be circulated as an official document of the General Assembly and of the Security Council and that you call for consultations on the aforesaid initiatives with a view to taking a position thereon.

(Signed) Omar Mustafa EL-MUNTASSER
Secretary of the General People's
Committee for Foreign Liaison and
International Cooperation

Annex II

Letter dated 9 December 1993 from the Secretary of the General People's Committee for Foreign Relations and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

As you know, on 6 and 7 December 1993, a summit meeting of the African countries which are members of the mechanism to prevent, manage and settle conflicts in Africa, took place in Cairo.

Among the items on its agenda, the meeting considered the question of the conflict between the great Socialist People's Libyan Arab Jamahiriya and the three Western States, namely, the United States of America, France and the United Kingdom. The meeting adopted a declaration, of which I have the pleasure to transmit to you the paragraph concerning the question that relates to my country, which I request you to have circulated as a document of the General Assembly and the Security Council. The text reads as follows:

With regard to the request by the Libyan Government, the Heads of State and Government considered the dispute between the Libyan Arab Jamahiriya and the United States of America, France and the United Kingdom, took into account the resolutions of the Security Council and recalled those adopted by the Organization of African Unity in Cairo in 1993.

They also launched an appeal for the peaceful settlement of disputes, requested that the two suspects should be given a fair trial in a neutral country, and called upon the Secretary-General of the Organization to follow the question closely and submit a report on the peaceful settlement of the matter.

Accept, Sir, the assurances of my highest consideration.

(Signed) Omar Mustafa EL-MUNTASSER
Secretary of the General People's
Committee for Foreign Liaison and
International Cooperation

Those areas, which were thus left without any communications whatsoever, approached the Post, Telegram and Telephone Administration of the Republic of Serbia (JP PTT "Srbija"), and asked that telephone links be re-established wherever technically possible. Those links became the only possibility for telephone communication between Krajina and foreign countries and vice versa, about which all PTT administrations were duly informed.

The attitude and conduct of the Croatian Post and Telecommunications Administration (HPT) and Croatia, regarding telecommunication services with the users in the Federal Republic of Yugoslavia as well as international transit communications, have been highly inappropriate from the very beginning of the war activities in Slovenia and Croatia, in particular. During the hostilities in Slovenia, HPT refused to cooperate with ZJPTT and constantly avoided acting according to the instructions of ZJPTT on the need to establish the broken links through reserve facilities or otherwise. Finally, in September 1991, HPT disconnected all its systems towards Serbia and later the international transit telecommunication links connecting eastern European and Middle Eastern countries with the countries of western and northern Europe.

ITU has been informed that HPT deliberately disconnected telephone and telegraph communications. All attempts of ZJPTT to re-establish telecommunication links via operable capacities have been to no avail. In that regard, great efforts were invested by the European Community Observer Mission so that the links be re-established. There were three meetings between HPT and ZJPTT. Nevertheless, without any prior notice HPT has chosen not to fulfil the agreements reached at those meetings.

The letter of the Croatian representative contains contradictions. Namely, HPT has claimed so far that all telecommunications in its territory have been destroyed (although that was not true). Now, HPT claims that the links can be established in 72 hours. It can probably be done in those sections where the links have been disconnected. The question is whether the Croatian authorities truly want to do so. Even if HPT established those links, the question would still remain how those links would function in the future and whether the telecommunication links of Krajina with the outside world would depend on the will and discretion of the Croatian authorities.

It should be emphasized that the telecommunication services have not been covered by the Security Council resolutions by which sanctions have been imposed against the Federal Republic of Yugoslavia. Moreover, all due payments are effected in compliance with the position of the Security Council Committee established by resolution 724 (1991) contained in its decision No. S/AC.27/1992/OC.867 of 28 September 1992.

ZJPTT's aforementioned activities were directed only to enabling the normal functioning of telecommunication links between Krajina and the outside world. The allegation that the Federal Republic of Yugoslavia thus threatens the territorial integrity of the Republic of Croatia is therefore absolutely baseless and unsound. The Government of the Federal Republic of Yugoslavia strongly rejects the insinuation from the letter on "the illegal Serbian insurgent regime on the territory of Croatia", since it is well-known that the Serbs have lived in those areas for centuries and that, due to the unfair and

illegitimate policy of Croatia towards the Serbs, as a constituent nation, they have now been forced to fight for their right to normal life in their own territory.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.